

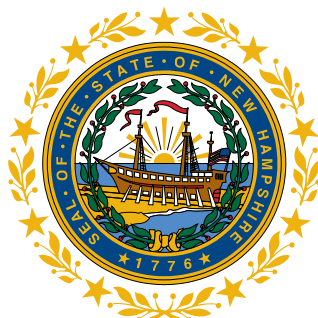
# UNEMPLOYMENT COMPENSATION

## *YOUR RIGHTS AND OBLIGATIONS*



To file your Unemployment Compensation claim go to:

**[www.nh.gov/nhes](http://www.nh.gov/nhes)**



*This pamphlet contains general information only.*

*It does not have the force of law*

In order to protect your rights and meet your obligations, you should read this entire booklet. Most claim problems can be avoided if you read this entire booklet!

**NH Employment Security**  
**32 South Main Street**  
**Concord NH 03301-4857**

Phone: (603) 224-3311 Fax: (603) 228-4145 Web Site Address: [www.nh.gov/nhes](http://www.nh.gov/nhes)

NH Employment Security  
Manager: Mark Belanger  
151 Pleasant Street *(PO Box 159)*  
Berlin NH 03570-0159  
Phone: (603) 752-5500  
Fax: (603) 752-5536

NH Employment Security  
Manager: Kathy Howard  
646 Union Street Suite 100  
Littleton NH 03561-5314  
Phone: (603) 444-2971  
Fax: (603) 444-6245

NH Employment Security  
Manager: Roberta Gabriel  
2000 Lafayette Road  
Portsmouth NH 03801-5673  
Phone: (603) 436-3702  
Fax: (603) 436-3754

NH Employment Security  
Manager: Tom Norris  
404 Washington St *(PO Box 180)*  
Claremont NH 03743-0180  
Phone: (603) 543-3111  
Fax: (603) 543-3113

NH Employment Security  
Manager: Leanne Topolosky  
300 Hanover Street  
Manchester NH 03104-4957  
Phone: (603) 627-7841  
Fax: (603) 627-7982

NH Employment Security  
Manager: Roberta Gabriel  
29 South Broadway  
Salem NH 03079-3026  
Phone: (603) 893-9185  
Fax: (603) 893-9212

NH Employment Security  
Manager: Pamela Szacik  
10 West Street *(PO Box 1140)*  
Concord NH 03302-1140  
Phone: (603) 228-4100  
Fax: (603) 229-4353

NH Employment Security  
Manager: Michael Walden  
6 Townsend West  
Nashua NH 03063-1217  
Phone: (603) 882-5177  
Fax: (603) 880-5256

NH Employment Security  
Manager: Franics Morrissey  
6 Marsh Brook Drive  
Somersworth NH 03878-1595  
Phone: (603) 742-3600  
Fax: (603) 749-7515

NH Employment Security  
Manager: Kathy Howard  
518 White Mountain Hwy  
Conway NH 03818-4205  
Phone: (603) 447-5924  
Fax: (603) 447-5985

NH Employment Security  
Manager: Joel Slutsky  
109 Key Road  
Keene NH 03431-3926  
Phone: (603) 352-1904  
Fax: (603) 352-1906

NH Employment Security  
Manager: Pamela Szacik  
426 Union Ave Suite 3  
Laconia NH 03246-2894  
Phone: (603) 524-3960  
Fax: (603) 524-3963

NH Employment Security  
Manager: Arthur McAllister  
Spinning & Weaving Bldg  
85 Mechanic Street  
Lebanon NH 03766-1506  
Phone: (603) 448-6340  
Fax: (603) 448-6342

**Unemployment Claims Inquiry**

(General information for employers and claimants)

Manchester area: (603) 665-1500

All others: 1-800-266-2252

Fax: (603) 656-6698

Claims Line Hours for Customer Service:

Monday-Friday 9 a.m. - 4 p.m.

**Benefit Adjudication Unit**

PO Box 9506

Manchester, NH 03108-9506

Phone: 1-800-266-2252 or (603) 656-6680

Fax: (603) 656-6698

**NHES Local Office Hours**

Monday-Friday 8 a.m. - 4:30 p.m.

Note: Some offices are closed between noon & 1:00 p.m. Please call ahead to check on availability.

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## What should I do if I become unemployed?

Each time you become unemployed or have your hours of work significantly reduced, file a new claim or reopen an existing claim via the Internet at our Web Site or visit the nearest NH Employment Security office to file your claim on a computer in our Resource Center. Open your claim during the week your hours are reduced or, if you became unemployed from full-time work on Thursday or Friday, open your claim on Sunday or Monday. If you live in another State and your last employment was in New Hampshire, you may file your claim over the Internet or you may call 1-800-266-2252 to file your claim with a Customer Service Representative during business hours (Monday - Friday, 9 a.m. - 4 p.m.).

### Have this information ready before you file

- \* Your Social Security Number
- \* Address (mailing and home address)
- \* Telephone Number
- \* Alien Registration Number (if you are not a U.S. citizen)
- \* Amount of separation, holiday, sick, or retirement pay you received or will receive
- \* Military Form DD-214, member 4 copy (if you were in the military in the past year)
- \* Form SF-8 (if you worked for the Federal government in the past year)

**In addition, for each employer you worked for in the past 18 months, have the following information available when you file:**

- \* Complete name and address of each employer (including zip code)
- \* Payroll address if different
- \* Employer's telephone number (including area code)
- \* Beginning and ending dates of employment (day, month and year)
- \* Reason for separation

## How and when do I file a claim?

Filing a claim is a **TWO-STEP process**. You must complete BOTH steps to be potentially eligible for payment. Please see specific instructions on filing below.

### STEP 1: Initial Claim:

This is the first claim you file after becoming unemployed, your first claim in a Benefit Year, or the first claim you file after having stopped filing Continued Claims for whatever reason. It is not a request for compensation, but it serves as a notice to the Department and your employer that you may claim benefits. You must file your **initial** claim over the Internet from home or by visiting the nearest NHES Office. Open your claim during the week your hours are reduced or, if you became unemployed from full time work on Thursday or Friday, open your claim on Sunday or Monday. To be timely, you must file your initial claim within **3 (three) business days** of your last day worked or not later than the **last day of the first week** for which you wish to file for benefits. Your claim is effective the calendar week it is opened. You will be asked to pick a 4-digit PIN number for your private use. This PIN number is your legal signature and it is important that you do not communicate it to anyone. You will be held responsible for all activities which require your PIN.

## **If you receive or expect to receive a severance package, when should you open your claim?**

If you receive separation pay such as severance for a period of more than 30 days after your last physical day of employment, you may want to review the Amount and Duration of Benefits information provided below and also on our Web Site at <http://claims.nhes.state.nh.us> and choose

the “Amount and Duration of Benefits” link to determine the best time to open your claim. Read through the narrative “When should I open my claim?”.

### **When you open your claim is your choice**

While you do not have the option to choose whether the Primary or Alternate Base Period is used to establish your Weekly Benefit Amount (WBA), you do have the right and ability to choose when to open your claim.

Opening a claim will establish the Effective Date, Base Period, Weekly Benefit Amount (WBA) and Benefit Year. Once a WBA has been established, a week of benefits has been filed for, and the Monetary Determination mailed detailing that information, the claim is final. It can not be

withdrawn at a later date because you have discovered that if you had waited until a different quarter to open your claim, you would have established a better WBA or Benefit Year.

By using the Primary Base Period table and the Benefit Amount Schedule, you can look at how your WBA may change depending on what quarter you open your claim. If you are receiving a separation package from your employer that includes many weeks or months of severance, vacation, holiday pay, sick and/or bonus pay, etc., you may want to look at any difference between opening immediately upon becoming unemployed or waiting until your separation pay is near or actually exhausted, especially if it would mean opening a claim in a different quarter. You may want to consider waiting to open your claim so that the timing will allow you to collect a full 26 weeks of benefits in the Benefit Year you establish. Separation pay (including severance, vacation, holiday, sick, bonus, etc.), is disqualifying in New Hampshire. You can not be paid unemployment benefits for a week in which you received or expect to receive a week of separation pay.

## **IMPORTANT NOTICE**

**Fraud Prevention: To prevent fraud, NHES matches records with those of other state and federal agencies including the Social Security Administration.**

**Cross-Match programs compare wage records compiled in New Hampshire and nationally. NHES also compares state and national new hire reports to Unemployment Insurance (UI) records to ensure that claimants who have returned to work full-time are no longer collecting benefits and claimants who are working part-time are reporting accurate earnings.**

**Protecting the integrity of the UI Trust Fund, which pays employees’ benefits, is a responsibility NHES takes very seriously. The NHES toll-free number, 1-800-852-3400 EXT. 34016 is available for concerned citizens to report suspected incidents of unemployment insurance fraud and abuse.**

For example, if you were laid off on January 23, 2004, earned a consistent \$11,000 per quarter, and were given 36 weeks of separation pay, the following are a few of the potential scenarios regarding your claim:

Scenario	Effective Date of Claim	Base Period	Earnings	WBA
#1 \$372	January 25, 2004	Oct 2002 - Sept 2003	\$44,000	
#2	September 26, 2004	Apr 2003 - March 2004	\$35,592	\$372
In both of these scenarios, your separation pay of 36 weeks would be applied to the weeks ending January 31, 2004 through September 24, 2004. You would not be eligible to collect unemployment during those weeks. The following are the results of each scenario based on that fact.				
Scenario	First Eligible Week	Benefit Year Ending	Number of Payable Weeks	
#1	Week ending Oct 2, 2004	Jan 22, 2005	17 weeks	
#2	Week ending Oct 2, 2004	Sept 24, 2005	26 weeks	

In Scenario #1, you would not be able to collect the maximum amount of benefits for the Benefit Year, because the Benefit Year established when the claim was opened in January, 2004, expires with payment for the 17th week of full benefits (week ending January 22, 2005). If you had returned to work, this would be a moot point, however, if you had not found new employment, those extra 9 weeks might be helpful to you and your family.

## **STEP 2: Continued Claim:**

**To claim weekly benefits, call 1-800-266-2252 (or 665-1500 in the Manchester area), or file over the Internet on our Web Site.**

This is the actual request for payment of benefits that is made after the first calendar week of unemployment is over. (The week is not over until Saturday at midnight.) You may file your Continued Claim any time of the day or night.

**Your first Continued Claim will be for a one-week period, and must be filed no later than the Saturday following the week being claimed.** Subsequent claims will be filed every other week. No more than two consecutive weeks may be claimed at any time.

With both the Internet and the telephone, you will be asked to enter your PIN. If you use the telephone to file your Continued Claims, you will be routed to an automated system that will ask you many questions. Please listen to all questions completely before using your keypad to answer. The best time to call is other than business hours, when the lines may not be as busy. You will need to answer two questions (whether you have a touch-tone phone and whether you speak English) before moving to the main menu. Select Option #2 from the main menu to file your Continued Claim. If you have a rotary telephone or one of your responses requires us to obtain more information, you will be directed to call during normal business hours. Once your claim is filed on the telephone, you should receive a message confirming that your claim was accepted. When using the Internet, you will receive a confirmation number. If you do not receive this confirmation, please call during normal business hours- Monday through Friday, 9 a.m. to 4 p.m.

## Instructions for filing your Initial Claim on the Internet

**NOTE:** If you use the **HELP** button anywhere in the application, click the **BACK** button to return to your application. Do NOT click the X at the top of the screen.

1. Go to our main Web Site. [www.nh.gov/nhes](http://www.nh.gov/nhes).
2. Click the blue **File for Benefits** box located at the top right of the page.
3. If a Security warning box is presented, click Yes.
4. You will be brought to the main claims page. Several link choices are at the top of the page. Click the **Application for Benefits** link.
5. Welcome page is presented. Maximize this page by clicking the middle box at the top right corner. Please read this page. Click **Proceed** button at the bottom of the page when you are done.

**NOTE:** Use the **Tab** key on your keyboard to move from box to box, field to field on all pages presented. You may use your mouse to click in each box if you prefer. Always click **Proceed** button to move to the next page.

6. **Login** Screen. Enter your social security number and date of birth. Please double-check that the date of birth is correct before proceeding. To use the drop down box, click the arrow to the right of the box, then pick the number you want. **PIN** – Personal Identification Number. Pick 4 numbers as your PIN. Please click on **HELP** if you would like a detailed explanation of the PIN. Click **Proceed**.
7. If you are new to this system, a warning page will be presented. Press **CONTINUE**.
8. If new, the Login page will return with a new field to **Reenter PIN**. Enter PIN again and click **Proceed**.

**NOTE:** If you miss any required information, a red warning message will be given when you click the Proceed button. Enter the missing information and click Proceed again. If you have answered any question that requires additional information, a **Secondary Information** page will be presented to allow you to type in an answer to the question presented.

9. The **Personal Information** page will be presented. Enter all information and click **Proceed**.
10. The **Claim Interview** page will be presented. Click the **Yes or No** circle for each question.
11. The **Work History** page will be presented. Enter **all** employers in the last 18 months, whether part time, full time, in NH or another state, Federal, military, sub-contracting or self-employment. If you received any vacation, holiday, severance or other monies that were not for hours worked, be sure to click Yes to the separation pay question. Click **Proceed**.
12. The **Claim Summary** will be presented. This is your opportunity to review the information you have supplied to be sure it is correct. It is your only opportunity to change information before the claim is completed. If you wish to change any information, click the **Edit** button for the page you wish to return to. Click **Proceed** when you are satisfied with the summary.
13. The **Claim Completion Notice and Agreement** page will be presented. **This is a very important page.** Choose Yes or No for Tax Withholding. Read all statements carefully and use the **HELP** button for details about these statements. If you wish to print this page, most computers will do so if you press the **Ctrl** key and the **P** key at the same time. A print box will be presented. Click OK. When you are finished with this page, click **Agree**. If you wish to press **Disagree**, you may but your claim will not be completed.

14. The **Security** page will be presented. Enter your social security number and PIN. Click **Proceed**.
15. The **Confirmation** page will be presented. **This is a very important page. Instructions on your next step are on this page and must be followed or no further action will be taken on your claim; no payments will be made.**

### **Instructions for filing your Continued Claim on the Internet**

**NOTE:** If you use the **HELP** button at any time, click the **BACK** button to return to your claim. Do NOT click the X at the top of the screen.

1. Go to our main Web Site. [www.nh.gov/nhes](http://www.nh.gov/nhes)
2. Click the blue **File for Benefits** box located at the top right of the page.
3. If a Security warning box is presented, click Yes.
4. You will be brought to the main claims page. Several link choices are at the top of the page. Click the **Weekly/Biweekly Payments (Continued Claim)** link.

**NOTE:** Use the **Tab** key on your keyboard to move from box to box, field to field. You may use your mouse to click in each box if you prefer. Use your mouse to click the circle next to Yes or No to indicate your answer for the questions presented. Always click **Proceed** button to move to the next page.

5. **Login** Screen. Enter your social security number and date of birth. Please double-check that the date of birth is correct before proceeding. To use the drop down box, click the arrow to the right of the box, then pick the number you want. **PIN** – Personal Identification Number. Use the same PIN that you used when you opened your claim. Please click on **HELP** if you would like a detailed explanation of the PIN. Click **Proceed**.
6. The **Weekly/Biweekly Payments (Continued Claim)** page will be presented. Answer all questions. Click the check box in front of the week ending dates you wish to file for.
7. If you worked during the week you are claiming –
  - a. Answer Yes to Question 3.
  - b. Enter the number of employers you worked for in Question 4.
  - c. If known, enter the gross wages earned in Question 5. If unknown, you may leave both Question 5 and Question 6 blank.
  - d. If you have entered wages in Question 5, enter the number of employers these wages are for in Question 6.

**NOTE:** If you worked and do not know the earnings when filing, complete a wage voucher for each week and each employer. Drop it off at any NH local office or mail to Data Prep, 32 South Main Street, Concord, NH 03301, as soon as possible. False or misleading reporting may result in an overpayment of benefits that you would be required to repay. Include tips and gratuities.

8. Click **Proceed** button when you are finished answering all questions.

**NOTE:** If you miss any required information, a red warning message will be given when you click the Proceed button. Enter the missing information and click Proceed again. If you have answered any question that requires additional information, a **Secondary Information** page will be presented to allow you to type in an answer to the question presented.

9. The **Confirmation** page will be presented. **This is a very important page. Instructions on the next week(s) to be claimed are on this page. Specific dates are given. If you do not file per these dates, your benefits may be delayed or denied.**



If you encounter problems using the Internet, you may file your weekly/biweekly payment request (continued claim) by phone at 1-800-266-2252. Choose Option 2 and the same questions as above will be asked.



### **When will I get my check?**

After your initial claim is completed, it is immediately transmitted to the Benefit Adjudication Unit for processing. You may be contacted for additional information. Depending on the number of questions about your claim, if any, you can expect to be contacted and/or receive a Determination of eligibility within 30 days. If you are unemployed for any reason other than lack of work, more time is needed to process your claim. If you are found eligible, checks will follow for any timely weeks filed. Remember to file for weekly or biweekly benefits (also known as continued claims) according to the instructions and dates provided on your Confirmation page.

### **What do I do if I am unable to file by telephone or Internet due to technical difficulties with the Department's telephone system or Web page?**

If you are unable to file your Continued Claim by telephone due to technical difficulties with the Department's telephone system or Web page, please try again on another day. Usually problems are resolved with either system by the next day. Remember, you have 7 calendar days to make the claim. **If you do not receive a confirmation number after filing over the Internet, please use the telephone system (dial 1-800-266-2252 to file your Weekly/Biweekly request for payment).** If you are still unable to claim, you are allowed to file your claim by mail. Visit your local office or call 1-800-266-2252, or print the "Continued Claim" form from our Web Site at this link: <http://www.nhes.state.nh.us/jsucinfo.htm>

### **What do I do if I "skip" filing a week or my claim has shut down due to high earnings for a week?**

If, for any reason, you do not wish to claim benefits for a week, but wish to claim benefits for a subsequent week, you must reopen or "restart" your claim over the Internet or in the nearest NH Employment Security Office during the week you again wish to file for benefits. If you have filed a Continued Claim for benefits for a week and reported gross earnings on that claim that exceed 130% of your weekly benefit amount, your claim may shut down because there are no benefits payable to you for that week. This is considered a high earnings week. In order to claim subsequent weeks, you must first reopen or "restart" your claim over the Internet or in the nearest NH Employment Security Office. To reopen or restart your claim, you must file a new "Application for Benefits". You must do this before you file another Continued Claim.

### **.If you forget or need to change your PIN**

If you reside in New Hampshire, you will need to report to the nearest NH Employment Security Office. Please bring proof of identity. If you reside in another state, call 1-800-266-2252, and speak with a Customer Service Representative.

## **What is Unemployment Compensation (UC)?**

It is a weekly benefit paid to a person who:

1. Has been working in covered employment,
2. Becomes unemployed through no fault of his or her own,
3. Meets eligibility requirements, and
4. Files timely and proper claims

### **What is “Covered Employment”?**

It is work done for employers who are subject to the New Hampshire Unemployment Compensation Law or the Unemployment Compensation Law of other States or the Federal government. These employers pay into a fund established to pay UC benefits or, in some cases, repay the fund for benefits paid to their former employees.

### **Are all employers covered?**

No, but most New Hampshire businesses are covered including state and local government agencies as well as many non-profit organizations. Coverage is determined by the Department and is not determined by whether your employer reported your earnings. Real estate or insurance salesmen paid solely by commission and elected officials are examples of employment which is not covered. Federal civilian and military employees are covered under federal unemployment compensation programs administered by NHES.

## **Benefit Amount**

In New Hampshire, your weekly Benefit Amount is based on wages you earned in covered employment during the first four of the last five completed calendar quarters preceding the week in which you initiate your claim. The twelve month period of time used to calculate your Weekly Benefit Amount is known as a “Base Period”. If you cannot establish a benefit rate using the first four of the last five completed calendar quarters, the Department can use the last four completed calendar quarters as an alternative.

To establish a benefit rate, you must have minimum earnings in the Base Period of at least \$2,800 and you must have at least two calendar quarters with earnings of \$1,400. See the chart on the back cover for the specific weekly amount you qualify for based on your annual earnings in the Base Period. Once a claim for unemployment is initiated, the Benefit Amount associated with it is effective for a twelve month period of time, known as a “Benefit Year”. An individual who has received unemployment benefits during a Benefit Year is required to have earned \$700 of wages in employment subject to the Unemployment Compensation Law, since the beginning of such Benefit Year in order to qualify for benefits in the next Benefit Year (effective March 31, 2002). The Rule simply prevents NHES from paying benefits during the new Benefit Year until the \$700 in employment is earned.

### **What is my Maximum Weekly Benefit Amount? (WBA)**

That is the most you may receive for each week of total unemployment. It is based on your total base period earnings (See “Benefit Amounts”).

### **What is my Potential Maximum Benefit Amount? (MBA)**

That is the potential amount of benefits available to you throughout the Benefit Year. It is usually **twenty-six times** your maximum **Weekly Benefit Amount**.

**What if some or all of my employment was performed in other states?**

Your wages from employment in other states may be combined to establish or increase your Benefit Amount in New Hampshire, or you may have a claim against another state.

**What if my claim is against another state?**

Your right to benefits will be determined under the law of that state, and you will receive materials and filing instructions by mail from them.

**Can wages earned in military service or federal employment or monies received from Worker's Compensation be used in computing my entitlement?**

Yes, but special steps may be necessary as certain restrictions may apply to their use. If you were in the military during the Base Period, you will be asked to show your DD-214 (Member 4). If you worked in federal civilian employment, you will speed your claim if you bring your SF-8, SF-50, and proof of earnings for the base period such as W-2 form or check stubs. If you received Worker's Compensation, a copy of your Award Letter from the Department of Labor may speed up your claim.

## **Eligibility Requirements**

**What is meant by "Eligibility"?**

In order to be eligible for unemployment compensation, you must meet the following requirements in each week:

1. You must be totally or partially unemployed. You are totally unemployed for any week in which you did not perform any work and for which you have no wages payable to you. Self-Employment is work and must be reported when you file claims. Work for spouses and/or children, whether compensated or not, must also be reported.
2. You must register for work to be eligible for benefits, unless you have been specifically exempted. Use the Job Match System at [www.nh.gov/nhes](http://www.nh.gov/nhes) and click on "Search for Jobs/Register for Work" to enter your Application.
3. You must be available for full-time work\* (with limited exceptions) on all shifts\* and during all the hours when the work you are qualified to do is normally performed.\*
4. You must be able to perform full-time work.\*
5. You must actively look for full-time work\* and keep a list of employers you contact about a job. Each week, you must try to find work on your own by contacting employers who are likely to have work in your usual occupation. If you cannot find work in your regular occupation, you are expected to look for work in other occupations for which you are qualified. If you are only partially employed, you must make a continuing effort to find full-time work.
6. You must file timely claims for benefits.
7. You must participate in Re-employment Services if selected by NH Employment Security.
8. You must disclose whether or not you are required to make child support payments, or whether you owe an uncollected over-issuance of food stamp coupons.
9. You must report any refusals of work.

*\* Effective January 1, 2006, RSA 282-A:31, IV-V establishes that if the individual is only seeking part-time work because he or she is the only available adult to care for a child (natural, adopted, step, or foster) under the age of 16, the individual may be eligible for benefits if their part-time hours are reduced or the job is lost. Certain eligibility requirements must be met, including: the individual's last six months in employment usually consisted of 30 or fewer hours through the majority of the six month period; and the individual must be willing, able, available and seeking work of at least 20 hours per week now.*

*Also effective January 1, 2006, is an amendment to the law about shift availability exceptions for full-time workers. The law now allows that if the individual is unable to apply for or accept work during the hours of the third shift, because he or she is the only adult available for the care of an ill or infirm elderly person who is dependent on him or her for support, or if the individual is unable to apply for or accept work during the hours of a particular shift because he or she is the only adult available for the care of a child under 16, the individual may be eligible for benefits.*

*\*In addition to the changes in the law mentioned above, if an individual is permanently physically and /or mentally disabled, full-time work for such individual shall be the hours and shifts the individual is physically able to work as certified by a licensed physician and there must be a market for the services offered during those hours/shifts.*

### **What is a “Week”?**

For Unemployment Compensation purposes a “week” is always the 7 calendar days beginning at 12:01 AM Sunday and ending on midnight the following Saturday.

### **What is “full-time” work?**

“Full-time” work is generally considered to be 35 to 40 hours per week, however, in some industries the number of hours, for particular services, may be different based on schedule or custom.

For individuals with a permanent physical or mental disability, “full-time” is considered to be those hours and shifts that a physician has certified the individual as able to work provided there is a market for the services the individual offers during these hours and shifts.

### **What is “part-time” work?**

“Part-time” work is considered 30 or fewer hours per week per RSA 282-A:31, V. A part-time worker whose hours are reduced to less than 20 hours per week or who loses his/her part-time employment may be eligible for benefits if he/she cannot work full-time because he/she is the only available adult to care for a child (natural, adopted, step or foster) under the age of 16.

## **The Determination of Eligibility**

### **How will I know if I qualify for benefits and the amount?**

After you file your first claim for a week of unemployment you will be mailed a Determination on your claim. The form(s) will contain the following information: **(Please read both sides of all documents.)** If you disagree with any information contained on a Determination, you may file an appeal (see section on Appeals).

The Determination will contain the following information:

1. The Benefit Year ending date,
2. A list of employers for whom you worked in the base period,  
Shown below are standard abbreviations you may see on your determination.  
MRE: Most Recent Employer    BPE: Base Period Employer  
LEU: Last Employing Unit    CHG: Chargeable Employer
3. The wages you earned from each employer in each quarter and your total quarterly base period earnings,
4. Your Maximum Weekly Benefit amount and the potential Maximum Benefits available to you,
5. Identification of the first week for which you will be paid benefits **OR** a denial of benefits, the reasons why, and the week or weeks for which you are disqualified or otherwise are not eligible.

## Disqualifications

### What are the reasons which I would not be paid benefits?

1. You will not be paid benefits for any week for which you do not meet all of the eligibility requirements explained in the section titled, **ELIGIBILITY REQUIREMENTS**.
2. You will not be paid benefits for any week for which you are disqualified.  
You will be disqualified if:
  - a. You **left work voluntarily** without good cause attributable to your employer. This means that you left your job through no fault of your employer. It includes but is not limited to, leaving because of sickness or personal reasons, and leaving when you could have continued to work for your employer.
  - b. You **left self-employment** or closed your business.
  - c. You are **self-employed**. This means operating a business as an officer, director, stockholder, partner or proprietor with the intent to gain profit or other benefit. It excludes temporary self-employment which was entered without the intent to establish a business.
  - d. You were **discharged for misconduct** connected with your work. Misconduct is a deliberate or controllable action which adversely affects your employer. It includes but is not limited to breaking company rules, willful failure to perform the duties of your job, or excessive tardiness or absenteeism.
  - e. You **fail without good cause to accept suitable work** when offered to you by an employer, or you fail without good cause to apply for suitable work or to return to your customary self-employment when directed to do so by this Department. Generally, whether work is suitable is determined by your physical capabilities, training and experience, previous wages and working conditions, distance of the job from your home, and the length of your unemployment.
  - f. You are **not available for work** outside your home for any reason.
  - g. **You are seeking to receive or have received payments in the form of unemployment compensation under an unemployment compensation law of another state or of the federal government.**
  - h. You are unemployed due to **disciplinary layoff**, provided the disciplinary layoff is for a reasonable term and is based upon good cause as determined by this Department.
  - i. You are unemployed due to a **stoppage of work** which exists because of a labor dispute, unless the stoppage is the result of a lockout or you are not participating in, financing, or directly interested in the dispute.
  - j. You were **discharged for intoxication** or the use of a **controlled drug**, of such degree and rate of occurrence as to seriously hamper or interfere with your work or the work or safety of others.
  - k. You were **discharged for arson, sabotage, or dishonesty** connected with your work.
  - l. You **failed to file on the date and time** or in the manner you were directed to file.

## Reduction of Benefits

### For how long will I lose my benefits?

The time for which you will not receive benefits depends upon the reason. For example, untimely filing of claims usually results in loss of benefits that were not claimed in a timely manner; voluntarily leaving work without good cause attributable to your employer requires you to return to work for five weeks, earn 20 percent more than your Weekly Benefit Amount, and become unemployed through no fault of your own. The written Determination you receive will tell you either how long the loss of benefits lasts and/or what you must do to again become eligible.

### Will my maximum benefit amount be changed or reduced?

There are several reasons which will cause your checks to be changed or reduced.

1. **Base Period earnings.** If the amount of earnings shown on your original Determination is found to be incorrect, your Weekly Maximum Benefit Amount may be changed. The amount of change will depend upon the final total of Base Period earnings. If the wages shown on your Determination are not accurate, you must tell the Department immediately or you may be over or underpaid.
2. **Earnings from educational institutions.** If you are claiming benefits during a school vacation or between school terms, your Weekly Benefit Amount will be reduced by that amount of your benefits that is based on earnings from any educational institution or certain providers of service to educational institutions. During a school vacation or between school terms, your Weekly Benefit Amount may be reduced if you worked for an educational institution or certain providers of service to educational institutions.
3. **Benefit offset.** If you owe the Department for a benefit overpayment, your Weekly Benefit Amount may be reduced in order to recover the overpayment amount. The amount of reduction may be up to 100 percent of your Weekly Benefit Amount or the balance of the overpayment still due. If you disagree with the amount of the overpayment or the percentage being withheld, contact the Benefit Payment Control Unit of NHES at 10 West St., Concord NH 03301, telephone number (603) 228-4015.
4. **Overpayments.** An overpayment occurs when you are paid benefits to which you are not entitled. For example, if an overpayment results from your failure to report wages or other reportable income due you for a period for which you claim benefits, you will be liable for repayment of such amount. If such failure is willful, you will be subject to additional penalties under the law. **Always report all work and all wages and other income when filing your claim.**

You may also be overpaid as a result of the appeal process. If a decision which found you eligible for benefits is later reversed by the appeal tribunal, appellate board or the Supreme Court, any benefits previously paid will become overpaid and restitution may be required. Once final disposition of your claim has been made, you may, at that point, be liable for monthly interest charges on any unpaid amounts.

Anytime your benefits are to be reduced, except for earned wages, anytime you are disqualified, and anytime you are found to be overpaid, you will receive a written appealable Determination.

5. **Child support.** If you owe child support, your Weekly Benefit Amount may be reduced to pay that support when the Department is directed by the court or an authorized agency to withhold a portion of your benefits. The amount of reduction will be determined by the court or voluntary agreement. The Department is required to withhold at least 20 percent of your Weekly Benefit Amount if you are delinquent in your payment of child support. You will be issued an appealable Determination.

6. **Retirement income.** Certain kinds of retirement income or pensions may reduce your Weekly Benefit Amount. In general, pensions to which you did not contribute 50 percent or more and which were contributed to by your Base Period (or latest) employer, will reduce your Weekly Benefit Amount dollar for dollar. You must report any type of retirement pay or pension to the Benefits Adjudication Unit so that a correct decision can be made. Although Social Security benefits are not deductible from your Weekly Benefit Amount, you are still required to report receipt of these benefits to the Department.
7. **Federal Income Tax.** You may voluntarily elect to have 10 percent of your gross benefits deducted and withheld for Federal Income Tax purposes. Federal Income Tax will be deducted after all mandatory deductions (Benefits Offset, Child Support) have been withheld. You may change your election, in writing, at any time. A change of election must contain your name, address, social security number and signature. In late January, you will be mailed a statement on Form 1099-G of all Unemployment Compensation benefits paid to you, and all amounts deducted and withheld for Federal Income Tax purposes during the previous calendar year. The Internal Revenue Service (IRS) will be given the same information. The IRS will furnish complete information on how to report and compute the tax. An "Election Form for Withholding of Federal Income Tax" (Form 453) is available on our Web Site under "Forms & Publications" under the category "File for Benefits". If you need to report a change of address to receive the 1099-G Form, please use our Web Site and click on "File for Benefits", then the "Change Name & Address" link, or send your change request in writing to:  
NH Employment Security, Attn: UCB, 32 South Main St., Concord, NH 03301-4857.
8. **Partial Unemployment.** If you receive or will receive wages for less than full time work, your Weekly Benefit Amount will be reduced, possibly to zero, by a part of those wages for each week to which the wages apply. **You are "partially unemployed" in any week of less than full-time work if the gross wages payable to you for that week, computed to the nearest dollar, are less than your Weekly Benefit Amount plus 30 percent.** In calculating the amount of partial unemployment benefits due you for a week: Add 30 % to your Weekly Benefit Amount, subtract the **gross** amount of the wages you earned from that figure. If the result is less than your Weekly Benefit Amount, that is the amount of benefits due you. Example: Your benefit rate is \$100.  $\$100 + 30\% = \$130$ . You earned \$87.63 **before deductions**.  $\$130 - 88 = \$42$  which is the amount of benefits due you. You must file your claim for partial benefits on the same schedule as you would for total benefits. If you are filing your Continued Claim over the Internet, you may enter your gross wages when you answer "yes" to working during the week. When you file your Continued Claim over the phone, you can enter your gross wages using the keypad on your telephone. You will not need to submit a paper pay voucher if you enter your gross wages on the Internet or telephone.

If you provide inaccurate information, you may be found overpaid, and would be required to make restitution to the Department. You must report all work and /or earnings or any week you claim.

### **Important Tax Information**

**It may be necessary** for you to make estimated tax payments. For more information on when you should make estimated tax payments, see IRS Publication 505, Tax Withholding and Estimated Tax, or the instructions for Form 1040-ES.

**In deciding the amount of benefits you will receive, the Department includes the following “unearned income” as “wages”.**

- A. Vacation pay
- B. Holiday pay
- C. Sickness or separation pay
- D. Payment of accrued leave
- E. Payment upon discharge from military service
- F. Payment under a profit-sharing plan, i.e. 401K if you didn't contribute more than 50%
- G. Bonuses
- H. Earnings in self-employment
- I. Worker's Compensation
- J. Any kind of payments, including salary, commissions, and bonuses for work performed during the week
- K. Back Pay awards
- L. Payment in kind, i.e. room and board, goods for services, etc.

Some kinds of “unearned wages” - vacation or separation pay, for example - will be applied to more than one week, if the amount due you is more than your usual weekly earnings.

**How will I know about a reduction in my Maximum Weekly Benefit Amount?**

If your weekly payment is to be reduced or withheld, you will be notified in writing except when the reduction is for earnings for less than full-time work. In case of benefit offset you will already have received a Determination stating you must repay benefits. In the other cases the notice will be a Determination stating the week or weeks affected and giving the reason. If the reduction is due to earnings of less than full-time work, you will not receive a Determination stating the amount of the reduction. You can figure the amount you will receive by following the example under, “#8 Partial Unemployment”.



## Appeals

### What if I do not agree with the Determination that I receive?

You may appeal a Determination if you disagree with it. You must appeal within 14 calendar days from the date the Determination was mailed to you. Your Determination will show the date of mailing and the final day for receipt of your appeal by this Department. If your appeal cannot be filed within the fourteen days, you should explain the cause of the delay. The time can be extended by the Commissioner only for **good cause**.

- a. **You may file an appeal over the Internet on our Web Site. Use the “File an Appeal” link** on the claims application page; or
- b. You may file your appeal in person at the local NHES office where a special appeal form will be provided to you. Bring the document(s) you are appealing with you; or
- c. You may also file by mail by sending a letter to NH Employment Security, explaining that you wish to appeal and why. Send a copy of the document(s) you are appealing with your letter. **(If mailed, your appeal must be postmarked within the 14-day time limit.)**

**The letter should be sent to:**  
**NH Employment Security,**  
**Attn: Appeals Unit, PO Box 9505**  
**Manchester NH 03108-9505**

**Note: An appeal will not be accepted over the phone or by email.**

### Can my employer appeal the Determination?

Yes. Your employer will receive a copy of every Determination on your claim and has the same appeal rights that you have.

### What happens after I file my appeal?

You will be notified by mail to appear at a hearing. It is very important that you read the entire Notice of Hearing. Along with your notification you will receive a pamphlet explaining the appeals process. This hearing will be scheduled for the earliest possible date after you file your appeal. The hearing will be held at the local office where you filed your claim. In some cases, such as an interstate claim appeal, the hearing will be conducted by telephone and the notice will give you a telephone number to call (collect) at a specific day and time. If, for extenuating circumstances, you cannot attend or call on the date scheduled, you may request a postponement according to the instruction on the notice. The Department reserves the right to grant or deny your request for a postponement. Refer to the Claim Representative information if you would like assistance preparing for your appeal hearing.

If you decide to obtain an attorney for your hearing, you must do so immediately so as to enable a speedy hearing. Your attorney must file an Appearance letter with the Appeal Tribunal and the other interested parties to notify them of the attorney's involvement in the hearing. Your attorney will be contacted by the appeal tribunal in order to schedule the hearing. You may be able to find low cost or free legal assistance by contacting the NH Legal Assistance (1-800-562-3174) or the pro bono referral office of the NH Bar Association. Check your local telephone book for numbers in your area.

### **What happens at an appeal hearing?**

The Appeal Tribunal will usually be a single person called the Chairman but may be a chairman and two members. Your former employer will receive a notice of the hearing and may attend or send a representative.

The Appeal Tribunal will review the facts leading to the Determination and will ask for further facts. You and your former employer will also be given an opportunity to ask questions or to make statements. **This hearing will be your only opportunity to present facts (evidence) to support your claim.** The Tribunal is not limited to considering just the issues being appealed; any issue relevant to the claim will be considered.

The Tribunal must determine all issues necessary to finally dispose of the case. After the hearing, the Tribunal will make a Determination and send you a written decision by certified mail.

### **What if I disagree with the decision of the Appeal Tribunal?**

You may request that your appeal be reopened. The request must be in writing to the Commissioner, NH Department of Employment Security, C/O Appeal Tribunal, PO Box 9505 Manchester, NH 03108-9505, and it must be **received or if mailed, postmarked, within 14 days of the date that the Appeal Tribunal decision was mailed.**

Your request must state the reason(s) that your appeal should be reopened. The only reasons the Commissioner can accept are fraud, a mistake of fact or law, or the existence of evidence that could not have been reasonably available at the time of the hearing. You will be notified by mail of the Commissioner's decision. If a reopening is granted, you will be scheduled for a new hearing.

### **What if the Commissioner says no?**

You may appeal to the Appellate Board. The appeal must be in writing and must be **received** by the Board, or if mailed, **postmarked, within 14 days of the mailing of the Commissioner's decision.** Mail the appeal to:

NH Employment Security  
Attn: Appellate Board  
32 South Main Street,  
Concord, NH 03301-4857

### **Should I continue to file claims while my Determination is under appeal?**

Yes, it is important that you continue to file for any week of unemployment for which you wish to claim benefits while your appeal is pending. Should any level of appeal rule in your favor, you will only be paid benefits for the weeks for which you properly filed your claim.

## **Claim Representative**

The Claim Representative is a Department employee whose job it is to help unemployed persons resolve problems with their claims for unemployment benefits. This person can give advice and answer questions as well as assist you in preparing for an appeal hearing. Under special circumstances, the Claims Representative may accompany you in the appeal hearing. The Claim Representative also reviews Department Determinations to ensure that benefits have not been unnecessarily withheld. The Claim Representative is not a lawyer; for legal advice or representation you should contact an attorney. To make appointments to speak to the Claim Representative call 1-800-685-6588, or (603) 229-4438, or (603) 228-4017 as soon as an appeal is filed.

## Looking for work

### How can I find out where to look for work?

Please use our Resource Centers located in each of our NH Employment Security Offices for **self-directed** work search activities. Newspapers, publications, books, and videos are available for you. Books in our library cover topics from resumes/cover letters, networking, the Internet and career research. We also have assistive technology devices available.

Use one of the many workstations to work on your resume or cover letters and print them out. PCs have word processing packages and special templates and programs designed especially for your ease in resume/cover letter preparation. You may research employers or careers through a software program called O\*NET, Ability Profiler, and Interest Profiler. Telephones are available in most Resource Centers for local employer calls. In most offices, additional services include use of a copy machine, and the use of a Fax machine for sending your resume and cover letter to employers. In addition, you may want to sign up for a free Job Search Workshop or take advantage of other scheduled workshops in most offices on veterans issues and assistance, credit and financial counseling, tax assistance, nutrition information, child care information and more. You may also look at the help wanted ads in the newspapers located on the newspaper rack in the Center.

If you are a veteran, we have services and programs you may be eligible for. In most Resource Centers, there is information available just for veterans. Please ask for a Veterans Representative. If you would like one-on-one employment counseling, please ask for an Employment Counselor.

You may use PCs in our Resource Centers to register on our on-line job Match System. You can enter your information in the Applicant Resume format, view open Job Orders and apply as directed. In addition, you may use a PC in the Resource Center for free Internet access to link to other employment, social services, and government sites. Use our Web site to access economic and labor market information, including NHnetwork (an economic and labor market information data system); upcoming job fairs; information about Unemployment Compensation and forms for printing/downloading; publications to help with your job search; and information about upcoming events at the Resource Centers.

We link to many other employment related sites, including the State Division of Personnel for state job openings; company sites posting their own openings; America's Job Bank, which lists openings nationwide; and the **NH WORKS** Web site ([www.nhworks.org](http://www.nhworks.org)) which offers information on supportive services, e.g. food stamps, fuel assistance, training, and education. Some "One-Stop" Partner agencies are physically co-located in the NH WORKS Centers located within NH Employment Security offices across the state. Some have auxiliary sites in libraries, State of NH Vocational Rehabilitation Offices, and offices of the Community Action Program (CAP) Association.

### What should I do if I am referred to a job?

You should make every effort to follow through on the referral as soon as possible; failure to do so could result in loss of benefits.

### What if I refuse a job?

Refusal of a **suitable** job will result in loss of benefits; however, a number of things must be considered in deciding whether a job is suitable, such as wages, distance to the job and experience or training, and length of unemployment, among others. **But you must report any job offers** when you file your claim; it is the Department's responsibility to decide whether the work is suitable.

## Approved Training (Attending school)

### What if I decide to pursue schooling or training?

In order to collect benefits while in training, or attending school, you must secure approval from NHES **when you file your initial claim or prior to beginning the training, whichever comes later**. Please make an appointment with your local office Employment Counselor to fill out the written request form as required. You will receive a written Determination which will indicate whether or not the work search requirement is waived. You may appeal a decision that denies the waiver of the work search. If your training situation changes, you must inform NH Employment Security at once.

### What is Profiling?

“Profiling” is a federally required program to help the unemployed claimant find a suitable job as soon as possible. The Department is required to identify claimants who are likely to be unemployed for an extended period of time. In order to do this, a number of factors are considered including: length of time on the job, your occupation and the industry you worked in, and whether your separation from work is permanent.

This process is called profiling. You may be directed to participate in certain employment services such as skill assessment, job assessment, job counseling and job search workshops. If you do not participate in these activities after being directed to do so, you may be disqualified from receiving benefits.

### Benefit Rights Interview Orientation

To assist our customers with the Unemployment Compensation process, NH Employment Security conducts group orientations on individuals’ rights and obligations under NH Unemployment Law, and a description of the services we provide. This one-hour session is **mandatory** for all customers who do not have a date to return to work within two weeks of becoming unemployed. You will be notified by letter of the date and time of this orientation, which usually occurs within three weeks of filing your unemployment claim. To prevent identity theft, a photo ID and social security card are checked at the orientation.

### Eligibility Review Interview

While filing for unemployment compensation, you may periodically receive a notice directing you to report to your local office for an Eligibility Review Interview. During these interviews, your eligibility to continue receiving unemployment compensation will be reviewed. You will be required to provide the Department a record of what you did to find work since your last in-person interview. At this interview, you may also receive or be referred to various re-employment services designed to assist you in your search for work. Failure to attend an Eligibility Review may result in your being disqualified from receiving benefits, and may result in your being found overpaid for benefits previously paid to you.

## **Conducting an effective search for work**

**Should I keep a record of where I go looking for work?** Yes. To be eligible for unemployment compensation benefits, you must be actively seeking permanent full-time work which you are qualified to perform. While there is no specific number of contacts you must make each week, you are expected to do what a reasonably prudent person would do in order to return to work. **Failure to seek work and/or provide an accurate record of your work search efforts may result in your being disqualified from receiving benefits, and may result in you being found overpaid for benefits previously paid to you.** To help you keep track of your work search efforts, the Department has Work Search Logs available at each local office. You can also download a copy of the Work Search Log from our website, [www.nh.gov/nhes](http://www.nh.gov/nhes). The Work Search Log contains instructions for its use. To best reflect your total efforts, we strongly encourage you to record your job contacts on the Work Search Log as they happen.

### **For an Effective Search for Work, it is recommended that you:**

1. Seek work you are qualified to perform.
2. Seek work you know is available during the time of year you are unemployed. For instance, searching for landscaping or construction work during the dead of winter is not prudent.
3. Follow work search procedures that are normal for the type of work you are seeking. Most people apply for work in person, however, some positions may require that a resume be sent, or emailed.
4. Contact new employers each week. While it is well advised to follow up with previous job contacts you've made, you cannot rely solely on repeat contacts to meet your work search requirement.
5. Leave an application or resume with the employer if he/she is accepting documents for future reference.
6. Bring along a complete work history to help you fill out the employer's application.
7. Network amongst your family, friends, former employers, etc. Anyone of these people may know of an opening which fits you.
8. Do not rule out temporary jobs. Many times these jobs become permanent and are sometimes the best way you can introduce yourself to a good company.
9. Research the employer prior to the interview. Know what they do or make.

### **If I accept an offer of work, do I still need to continue searching for work?**

If you accept a firm offer of permanent, full-time work, and you will start work within four (4) weeks, you are not required to search for work during that period. A confirmable offer is one that can be verified with the employer. If the start work date is postponed beyond the original 4 week period, it is your responsibility to contact NHES for further work search instructions.

If you receive an offer of full-time work that will not start within the next four (4) weeks, or you received an offer of work that is part-time or temporary, you must continue to look for permanent full-time work in order to continue receiving benefits.

## **Returning to work**

### **What should I do when I return to work?**

Remember, you always claim benefits for the week ending the previous Saturday. Therefore, when you return to work you may still have the previous week or two weeks to claim. File your Continued Claim for these weeks in the same manner as you did your other Continued Claims.

## **Residence in another State**

### **What if I live in another state, but my claim is based on New Hampshire employment?**

If you live in another state and **reside more than 25 miles** from a New Hampshire Employment Security office, call 1-800-266-2252 during normal business hours, press option 1 for touch tone phone and then press option 3. A Customer Service Representative will assist you.

If you live in another state, but **within 25 miles** of a NH Employment Security office and you file a New Hampshire claim, you must file your claim for benefits in person, in a New Hampshire office or over the Internet.

## **Changing addresses**

### **What if I change my address while I am filing claims?**

Be sure to notify us when you change your address. Call the Benefit Adjudication Unit (BAU) for instructions at 1-800-266-2252, press option 3 and wait for a Customer Service Representative.

You may use our Web Site and click on the "Change Name & Address" link.

## **What if I leave the area, or leave the State?**

It is your responsibility to notify the local office in advance for filing instructions if you are leaving the area temporarily. Call the Benefit Adjudication Unit (BAU) for instructions at 1-800-266-2252. You must still meet all of the eligibility requirements before you can receive benefits, including but not limited to, providing evidence that you have been looking for work and have been available for work.

## **Claims are periodically reviewed**

The Department has a Quality Control program that selects claims for review to see that benefits were paid or denied correctly. If you are contacted by the Quality Control Unit, it does not mean that there is anything wrong with your claim. You will have been chosen at random by the computer for an audit and will be asked to complete a questionnaire and be interviewed. Your cooperation contributes to the improvement of the UC program. Quality Control will contact your former employers and investigate all aspects of your claim including your search for work. If you were not paid all the benefits you were entitled to for the week, the investigator will see that you receive any money due you; if you were not entitled to the benefits you received, you will be found overpaid and may have to pay the money back.

## **Misrepresentation-Fraud**

### **What happens if I intentionally give wrong or incomplete information when I file my claim?**

The Department also maintains a Benefit Payment Control Unit whose responsibilities include detecting and investigating claimant and employer fraud or misrepresentation. An investigation may commence as a result of an allegation of fraud or as a result of a computer cross match of benefits paid against wages reported in this or any other state. Misrepresentation on your claim can bring serious consequences. To willfully make false statements or to knowingly fail to disclose material facts to obtain or increase benefits paid to oneself or another individual can constitute fraud. This is a Class A felony if you receive \$1000 or more in benefits; a Class B felony if you receive between \$500 and \$999.99; and a Class A misde-

meanor if you receive under \$500 as a result of the misrepresentation.

Conviction of a Class A felony carries a fine of up to \$5000 and/or imprisonment for up to 15 years; a Class B felony carries a fine of up to \$5000 and/or imprisonment for up to seven (7) years; and a Class A misdemeanor carries a fine of up to \$2000 and/or imprisonment for up to one (1) year. In addition, benefits fraudulently obtained must be repaid and benefit eligibility can be lost for up to one (1) year from the date of conviction.

The most common reason for fraud penalties is failure to tell the Department about working, either for someone else or in self-employment. **You must report all work you do** in any week for which you claim benefits even if you have not yet been paid for the job. Too often people are required to repay benefits and are ineligible for up to a full year because they claim total benefits for the week in which they go back to work.

## **Trade Adjustment Assistance NAFTA, ATAA & HCTC**

Trade Adjustment Assistance (TAA) is available to workers who lose their jobs or whose hours of work and wages are reduced as a result of increased foreign imports. TAA includes a variety of benefits and reemployment services to help unemployed workers prepare for and obtain suitable employment. Workers may be entitled to training, a job search allowance, a relocation allowance, and other reemployment services. Additionally, weekly trade readjustment allowances (TRA) may be payable to eligible workers following their exhaustion of unemployment benefits. Usually, TRA benefits will be paid only if an individual is enrolled in an approved training program.

The NAFTA-TAA Program (North American Free Trade Agreement Act – Transitional Adjustment Assistance) assists workers who lose their jobs or whose hours of work and wages are reduced as a result of trade with Canada or Mexico. The NAFTA-TAA Program provides affected workers with similar assistance as offered in TAA.

For more information about Trade Act, NAFTA, the Health Coverage Tax Credit (HCTC), and the Alternative Trade Adjustment Assistance Program (ATAA) please visit our Web Site at <http://www.nhes.state.nh.us/esb/tradeact.htm> or contact the NHES Trade Act Coordinator at 32 South Main Street, Concord, NH 03301-4857, Telephone 603-229-4355 Fax: 603-229-4321.

### **Establishing Eligibility for Trade Adjustment Assistance and/or NAFTA-TAA**

A petition must be filed with the Office of Trade Adjustment Assistance to establish group eligibility to apply for TAA (Trade Adjustment Assistance). Petitions may be filed by a group of three or more workers, their union, or an authorized representative. For more information or to obtain proper forms, visit your nearest local office or go to our Web Site.

A petition for NAFTA-TAA may be filed by a group of three or more workers, including farm workers, by their union or other duly authorized representative (including community-based organizations) or by a company official. Petition forms and assistance can be obtained at your nearest Employment Security Office. NH Employment Security will also provide every eligible worker, at the point at which they become eligible under the second Trade certification, with the information necessary to make a fully informed choice regarding the Trade program under which they wish to permanently participate: Trade Act or the NAFTA-TAA program. Petitioners for NAFTA-TAA should complete and sign the petition and send it to: NH Employment Security, Trade Act Coordinator, 32 South Main Street, Concord, NH 03301-4857.

## **Equal Opportunity is the Law**

It is against the law for New Hampshire Employment Security (NHES) to discriminate on the following basis: against any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I financially assisted program or activity. NHES must not discriminate in any of the following areas: deciding who will be admitted, or have access to any WIA Title I financially assisted program or activity; providing opportunities in, or treating any person with regard to such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

### **What to do if You Believe You Have Experienced Discrimination**

If you think that you have been subjected to discrimination, you may file a complaint within 180 days from the date of the alleged violation with either the Local One Stop Manager or the Assistant to the Commissioner, NHES, 10 West Street, PO Box 1140, Concord NH 03301, phone number 603-228-4073 or the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington DC 20210. If you file your complaint with the Local One Stop Manager or the Assistant to the Commissioner (NHES) you must wait either until NHES issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If NHES does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for NHES to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90 day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If NHES does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action. For Further Information see: Local Office Manager.

## **Privacy Notice**

The Privacy Act of 1974 requires that you be furnished this statement because you are being required to furnish your Social Security Account Number on the claim forms given to you. Your Social Security number is solicited under the authority of the Internal Revenue Code of 1954 (26 U.S.C. 85, 6011(a), 6050B and 6109(2)). Disclosure of your Social Security number for this purpose is mandatory and must be entered on the forms you submit to claim unemployment compensation. Your Social Security Number will be used to report your unemployment compensation to the Internal Revenue Service as income that is potentially taxable; it will also be used as a record index for processing your claim, for statistical purposes, and to verify your eligibility for unemployment compensation. Should you refuse to disclose your Social Security number, your claim for unemployment compensation benefits cannot be processed.

Public Law 98-369 amended Title XI of the Social Security Act and requires that income and eligibility information such as your wages and benefit amount must be available to the agencies which administer the following programs: Workforce Investment Act programs (effective 8/7/98) Aid to Families with Dependent Children (AFDC), Medicaid under Title XIX, Food Stamps, and Any program approved under a plan approved under Titles I, X, XIV, or XVI of the Social Security Act.



## NOTES

## Benefit Amounts

### RSA 282-A:25

**Please Note: Benefit Rate Amounts may change at any time per act of legislature.**

PARTIAL EARNINGS/QUALIFYING WAGES				
Effective for all new claims filed on 7/1/07 and thereafter				
<u>Annual Earnings</u>	<u>WBA</u>	<u>WBA+30%</u>	<u>Qual Wages WBA+20%</u>	<u>MBA</u>
\$2,800	\$32	\$42	\$38	\$832
3,100	35	45	42	910
3,400	39	51	47	1,014
3,900	45	58	54	1,170
4,200	48	62	58	1,248
4,500	52	68	62	1,352
4,800	55	71	66	1,430
5,100	59	77	71	1,534
5,600	64	83	77	1,664
6,100	69	90	83	1,794
6,600	75	97	90	1,950
7,000	80	104	96	2,080
7,400	83	108	100	2,158
7,800	88	114	106	2,288
8,200	92	120	110	2,392
8,600	96	125	115	2,496
9,000	101	131	121	2,626
9,500	105	136	126	2,730
10,000	110	143	132	2,860
10,500	115	149	138	2,990
11,000	120	156	144	3,120
11,500	126	164	151	3,276
12,500	137	178	164	3,562
13,500	148	192	178	3,848
14,500	159	207	191	4,134
15,500	167	217	200	4,342
16,500	178	231	214	4,628
17,500	188	244	226	4,888
18,500	199	259	239	5,174
19,500	206	268	247	5,356
20,500	217	282	260	5,642
21,500	227	295	272	5,902
22,500	238	309	286	6,188
23,500	249	324	299	6,474
24,500	254	330	305	6,604
25,500	265	344	318	6,890
26,500	275	357	330	7,150
27,500	286	372	343	7,436
28,500	290	377	348	7,540
29,500	301	391	361	7,826
30,500	311	404	373	8,086
31,500	321	417	385	8,346
32,500	331	430	397	8,606
33,500	342	445	410	8,892
34,500	352	458	422	9,152
35,500	362	471	434	9,412
36,500	372	484	446	9,672
37,500	383	498	460	9,958
38,500	394	512	473	10,244
39,500	405	527	486	10,530
40,500	416	541	499	10,816
41,500	427	555	512	11,102

**Annual Earnings:** An individual must have annual earnings of at least \$1400 in each of two separate calendar quarters



